

Claim 24 (original): A method of enhancing glycogen synthesis or lowering blood levels of glucose in a patient in need thereof, which method comprises administering to said patient a therapeutically effective amount of a composition according to claim 10.

Claim 25 (original): A method of inhibiting the production of hyperphosphorylated Tau protein in a patient, which method comprises administering to a patient in need thereof a therapeutically effective amount of a composition according to claim 10.

Claim 26 (original): A method of inhibiting the phosphorylation of β -catenin, which method comprises administering to a patient in need thereof a therapeutically effective amount of a composition according to claim 10.

REMARKS

The Examiner has required restriction of the claims of this application under 35 U.S.C. § 121 into one of the following two groups:

- | | |
|----------|--|
| Group I | Claims 1-26 directed to compounds of formula III, wherein one of Z^1 or Z^3 is nitrogen, the other of Z^1 or Z^3 is carbon, and Z^2 is CH (i.e., pyridazines); and |
| Group II | Claims 1-26 directed to compounds of formula III wherein one of Z^1 or Z^3 is nitrogen, the other of Z^1 or Z^3 is carbon, and Z^2 is nitrogen (i.e., a 1,2,4-triazine). |

The Examiner contends that Group I and Group II are distinct inventions because they are directed to structurally dissimilar compounds that lack a common core. Accordingly, the Examiner has required applicants to elect one of the two groups for further prosecution. The Examiner has also required applicants to elect a species falling within the elected group.

In response, applicants hereby elect Group I (claims 1-26, drawn to pyridazine compounds of formula III, wherein one of Z^1 or Z^3 is nitrogen, the other of Z^1 or Z^3 is carbon, and Z^2 is CH, and related compositions and methods of use). Applicants also elect species III-16 (see specification as originally filed at page 61, line 4).

This election is made expressly without waiver of applicants' rights to continue to prosecute and to obtain claims to the non-elected subject matter either in this application or in other applications claiming benefit herefrom.

Applicants have amended claims 1, 2, and 9 to be directed only to the elected subject matter. None of these amendments adds new matter.

Should the Examiner feel that a telephone conference with applicants' representatives would assist the Examiner, he is invited to telephone the undersigned at any time.

Applicants request entry of the above amendments, favorable consideration of the application, and early allowance of the pending claims.

Respectfully submitted,



Lisa Dixon Reg. No. 40,995
Attorney for Applicants
VERTEX PHARMACEUTICALS INCORPORATED
130 Waverly Street
Cambridge, Massachusetts 02139
Tel.: (617) 444-6396
Fax.: (617) 444-6438